

MANAGEMENT AND REGULATION OF AERIAL PHOTOGRAPHY AND MAPPING ACTIVITIES

PRESIDENTIAL DECREE NO. 1178, August 12, 1977

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WHEREAS, maps are necessary tools in the planning, execution and coordination of programs for national development and security;

WHEREAS, pursuant to the Integrated Reorganization Plan (PD No. 1), the Board of Technical Surveys and Maps created by Republic Act No. 2912, has been abolished and its functions absorbed by the Bureau of Coast and Geodetic Survey;

WHEREAS, there is a need to strengthen Executive Order No. 16, dated August 20, 1962, which permits the taking of aerial photography for surveying and mapping purposes, provided permission is secured from the Department of National Defense;

WHEREAS, the aforecited Republic Act No. 2912 and Executive Order No. 16 do not provide any penalty provision for violation of the rules and regulations prescribed by the Department of National Defense to the detriment of national interest and security.

WHEREAS, there is urgent need to institute effective centralized control of aerial photography and mapping activities under one Department in order to reconcile and simplify these two fundamental requirements of national development and security.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree and order the following as part of the law of the land:

SECTION 1. Policy.-It is hereby declared as the policy of the State (a) to be self-reliant in the production and maintenance of maps, charts and similar cartographic materials; (b) to promote and maximize efficiency in surveying and mapping activities through integration and coordination of related activities and institution of effective monitoring, supervision and control measures; (c) to encourage inter-agency exchange and utilization of photographic and mapping information; (d) to centralize planning of aerial photography and base map production under the Department of National Defense; (e) that all negatives and other reproducibles of aerial photography shall be considered the property of the State, in accordance with rules and regulations to be prescribed by the Secretary of National Defense; (f) that all original aerial photographs and its by-products, unless classified, shall be deposited with the Bureau of Coast and Geodetic Survey for effective utilization; and (g) that all procedures relative to these policies shall be simplified to obtain maximum economic benefits without sacrificing security.

SEC. 2. Control.-The Secretary of National Defense shall exercise control and supervision over the conduct of aerial photography and photomapping activities, including the processing, handling, distribution, reproduction, safekeeping and final disposition of all aerial photography and other reproducible mapping materials.

SEC. 3. Mapping Activities.-a. The Department of National Defense shall initiate, develop and implement a continuing program of aerial photography and base mapping covering the entire country, in coordination with

other surveying and mapping agencies in the Government, consistent with the requirements of national development and security.

b. Mapping activities of all government agencies and private enterprises shall be coordinated with the Bureau of Coast and Geodetic Survey in order to maximize utilization of existing aerial photography and mapping information.

c. No aerial photography shall be taken without prior clearance from the Secretary of National Defense or his duly designated representative.

d. There shall be a continuing evaluation of aerial photographs and maps for the purpose of declassification.

e. Only persons cleared by the Secretary of National Defense or his duly authorized representative shall have access to classified photographs, maps and other reproducible materials.

SEC. 4. Ownership and Depository of Aerial Photographs.-a. All negatives and reproducibles of aerial photographs shall belong to the State in accordance with rules and regulations to prescribed by the Secretary of National Defense.

b. All negatives and reproducibles of classified aerial photographs shall be deposited with the Armed Forces of the Philippines. When declassified they shall be deposited with the Bureau of Coast and Geodetic Survey and copies thereof may be made available to any person, firm or entity.

SEC. 5. Rules and Procedures.-The Secretary of National Defense shall prescribe rules and procedures to govern the taking, handling, processing, distribution, reproduction safekeeping, utilization and final disposition of all aerial photographs, maps, reproducible and other mapping materials by government agencies and private firms involved in surveying, aerial photography and mapping activities.

SEC. 6. Penalties.-a. Any person convicted for the unauthorized sale, use or improper disposition of aerial photographs and/or its reproducibles covering any installation or any part within the territorial limits of the Philippines with a security classification of SECRET or higher, shall be punished by imprisonment from six (6) to twelve (12) years or shall pay a fine not exceeding TWENTY THOUSAND PESOS (P20,000.00) or both as the court may direct.

b. Any person convicted for the unauthorized sale, use or improper disposition of aerial photographs and/or its reproducibles covering any installation or any part within the territorial limits of the Philippines with a security classification of CONFIDENTIAL, shall be punished by imprisonment from six (6) months to six (6) years, or shall pay a fine not exceeding TEN THOUSAND PESOS (P10,000.00) or both as the court may direct.

SEC. 7. Repealing Clause.-Republic Act Numbered 2912 is hereby repealed. Any provisions of existing laws, rules and regulations in conflict with this Decree are also hereby modified or repealed accordingly.

SEC. 8. Effectivity.-This Decree shall take effect immediately.

Done in the City of Manila, this 12th day of August, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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